



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 30, 2021

MRS. NATALIE K. BAUR, TREASURER
PORTMAN FOR SENATE COMMITTEE
9856 ARCHER LANE
DUBLIN, OH 43017-8914

Response Due Date
10/04/2021

IDENTIFICATION NUMBER: C00458463

REFERENCE: APRIL QUARTERLY REPORT (01/01/2021 - 03/31/2021)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

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For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question.

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Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses the receipt of contributions designated for the primary election that were received after the date the candidate terminated their candidacy.

The candidate was running for Congressional office until their announcement on January 25, 2021 not to seek office/ re-election. At this time, their status as a candidate for the 2016-2022 Election Cycle ended. Your committee is entitled to keep all primary election contributions made prior to or on the date of that announcement, and is allowed to use them in accordance with 11 CFR § 113.2. However, primary election contributions made after the date of the announcement must be refunded, except to the extent there are net debts outstanding for the campaign on the date each primary election contribution is received. (11 CFR § 110.1(b)(3)(ii))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any of the apparent primary election contributions in question were incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If a contribution was made by the contributor before or on the date the candidate terminated their candidacy, please amend your report to indicate this using memo text, or provide this information in a Miscellaneous Document (Form 99 for electronic filers).

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If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action, your prompt action to refund these contributions will be taken into consideration.

3. Schedule B supporting Lines 20(a) and 20(c) discloses refunds of contributions that do not appear to have been previously reported by your committee (see attached). This may be caused by the committee receiving original contributions that were designated to different elections than the refunds and/or refunding amounts greater than the original contributions. Please amend the appropriate report(s) to disclose the original contributions or provide clarifying information. (52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)) and 11 CFR § 104.3(a) & (b))

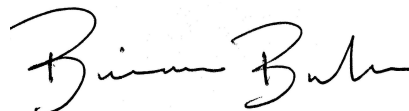
Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAFI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1338.

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Sincerely,

A handwritten signature in black ink, appearing to read "Brian Buhr". The signature is fluid and cursive, with the first name "Brian" and last name "Buhr" clearly distinguishable.

Brian Buhr

Campaign Finance Analyst

Apparent Excessive Contributions
Portman for Senate Committee (C00458463)

Apparent Excessive Contributions from Committees

Contributor Name	Date	Amount	Election
Miller & Chevalier PAC	12/27/17	\$1,000.00	P2022
Miller & Chevalier PAC	3/30/18	\$1,000.00	P2022
Miller & Chevalier PAC	11/7/18	\$1,000.00	P2022
Miller & Chevalier PAC	3/26/19	\$1,000.00	P2022
Miller & Chevalier PAC	12/27/19	\$1,000.00	P2022
Miller & Chevalier PAC	2/5/21	\$1,000.00	P2022

**Refunds Itemized, No Original Contributions Disclosed
Portman for Senate Committee (C00458463)**

Contributor Name	Date	Amount	Election
Dakota PAC	3/31/21	\$5,000.00	G2022
De Nicola, Anthony	3/29/21	\$2,800.00	G2022
Freedom Fund,	3/27/21	\$5,000.00	G2022
Fund For America's Future	3/31/21	\$5,000.00	G2022
The Hawkeye PAC	3/27/21	\$5,000.00	G2022
Heartland Values PAC	3/31/21	\$5,000.00	G2022
Mixon, Barbara W. Mrs.	3/31/21	\$5,600.00	G2022
National Association Of Enrolled Agents PAC	3/27/21	\$5,000.00	G2022
Oorah! PAC	3/27/21	\$5,000.00	G2022
Rely On Your Beliefs Fund,	3/27/21	\$5,000.00	G2022
Together Holding Our Majority,	3/31/21	\$5,000.00	G2022
White, Derrick	3/31/21	\$1,000.00	G2022